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www.health.ri.gov/hsr/healthsystems/index.php

Initial Licensure (RIGL Chapter 23-17)

Summary of the Statutory Review and Decision Process

Application Form:

www.health.ri.gov/hsr/healthsystems/applications/InitialLicensure.doc

Background

- Licensure as a health care facility in RI requires approval by the Department of Health (HEALTH) as an initial licensure (IL) (Chapter 23-17). This includes home care providers, home nursing care providers, freestanding emergency care facilities, outpatient kidney treatment centers, organized ambulatory care facilities, hospice care facilities, and outpatient birth centers.

Purpose

- Promote appropriate access; safe and adequate treatment; and quality improvement in health care facilities

Proposals Subject to the IL Review

- Establishment of a health care facility.

HEALTH's IL Statutory Criteria for Review and Decision

1. The character, commitment, competence, and standing in the community of the proposed owners, operators or directors;
2. The extent to which the facility will provide care without effect on the viability of the facility;
3. The extent to which the facility will provide safe and adequate treatment for the individuals receiving health care provided by the facility;
4. The extent to which the facility will provide access to underserved populations, in consideration of proposed continuation or termination of services provided by the facility.

IL Application and Review Process:

○ Phase One: Completeness Review

- HEALTH reviews an IL application and determines whether the application is complete. If the application is complete, HEALTH will accept it for review within 10 working days of receipt. Otherwise, a deficiency letter will be sent to applicants in cases where the application is deemed incomplete.

- If the application is determined to be incomplete, HEALTH requests the application to be resubmitted with all the additional information incorporated into the resubmitted application.
- **Phase Two: Criteria Review by the Health Services Council**
 - When the application is determined by HEALTH to be complete, the Health Services Council (HSC) reviews the application.
 - The HSC is a statutory advisory council appointed by the Governor, Speaker of the House and President of the Senate
 - HEALTH provides staff support to the HSC
 - Public Process:
 - The public has the opportunity to comment on the application within 30 days public notification and initiation of review, when practicable. All HSC meetings are open to the public.
 - IL application and review is a public, non-confidential process
 - The Statute provides that the entire IL application and record is made public. The public may request to view the application and HEALTH may post the application on its website.
 - Based on a review of the application in consideration of the IL criteria, the HSC makes an advisory recommendation to the Director of HEALTH to:
 - approve the application,
 - reject the application, or
 - approve the application with conditions
 - The process of HSC review and decision may take up to 90 days after initiation of review.
- **Phase Three: Decision**
 - The Director makes a decision on the application considering the IL review criteria and the HSC's advisory recommendation.

The information provided herein is not a formal interpretation or legal analysis of the general statute or rules and regulation issued by HEALTH.

RI General Laws can be located here: <http://www.rilin.state.ri.us/Statutes/Statutes.html>

Rules and Regulations can be located here: <http://sos.ri.gov/rules/>